

Remarks

Applicants have cancelled claim 1 in favor of prosecuting dependent claim 2 and appropriately amended the dependencies in the remaining claims that depended from claim 1. Applicants reserve the right to prosecute the subject matter of claim 1 in a continuing application. Applicants have also amended the numbered features of claim 2 into ascending order for clarity and accordingly renumbered the features recited as being performed under sterile conditions. The recitation of “(5)” in claims 8, 12 and 14 has been appropriately amended in view of this renumbering.

The specific points raised in the Office action are addressed below. As all of the issues noted in the Office action have been satisfactorily addressed, and as the Office action indicates that claims are otherwise allowable, such action is respectfully requested.

I. Layout

The specification has been amended to match the layout preferred by the Examiner.

II. Informal Objections

The reference to “Fig. 1” on p. 11, line 3 has been amended to reflect the Fig. 1A. and Fig. B as appropriate.

III. Claim Objections

The plural of “closure” in Claim 3 has been amended to reflect the singular for consistency.

IV. 35 U.S.C. § 112

There are several rejections made in the Office action under 35 U.S.C. Second ¶. These are addressed in turn below.

A. “so formed”

Now cancelled claim 1 was rejected because the Office action alleges that the language “so-formed” was indefinite. Applicants submit that the language is sufficiently definite as it clearly refers to the vial that was formed in the process. Although claim 1 has been cancelled, mooted this rejection, the language appears in other claims. While maintaining that the language is sufficiently definite, Applicants have simply deleted the objected to language.

B. Dependency of claim 15

Claim 15 has been amended to remove the reference to claim 2, mooted this rejection. In view of this amendment, applicants have also amended claim 19 to delete the references to the antecedents in claim 2 and substitute appropriate text, and amended claim 23 to delete the reference to the antecedent from claim 2.

C. “means to provide”

The Office action alleges that the language “means to provide” is unclear in claim 15. Applicants have amended this language to clarify that the referenced means is a “sterilization means to provide,” which is supported at least at p.10.

D. “engages”

This language in claim 21 has been amended to “engage” as suggested in the Office action.

E. “closure closure”

The second “closure” in claim 23 has been deleted as suggested in the Office action.

F. “so formed vial body”

This language in claim 1 is objected to in the Office action. As claim 1 has been cancelled, the objection is moot.

G. antecedent basis for “closures”

The Office action alleges that claim 3 lacks an antecedent basis for the language “closures”. Claim 3 previously depended from claim 1. Claim 3 now depends from claim 2, and “closures” in claim 3 has been amended to “puncturable closure”. Claim 2 contains an antecedent basis for “puncturable closure”. Applicants have also amended claims 8, 9, 10, 11, 12, 13, and 14 such that the previously recited “closure” is now “puncturable closure” to meet with the antecedent basis of claim 2.

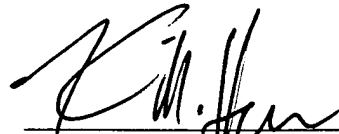
In view of the foregoing, the application should be in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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